

## **REMARKS**

Claims 1-4, 6-15 and 18-21 are now pending in the application. The Examiner is respectfully requested to reconsider and withdraw the rejection(s) in view of the amendments and remarks contained herein.

### **REJECTION UNDER 35 U.S.C. § 102**

Claims 1-8 and 10-18 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent Publication No. 2002/0047916 (Miyagi). This rejection is respectfully traversed.

Miyagi is directed generally to a system that enables a user to send an image from a camera or personal computer to a central server. The server may convert the image to a suitable format for use on other types of devices, such as a phone. Any subsequent transmission of the image is directly from the server to a requesting device. Miyagi fails to teach or suggest that a requesting device can receive image data from a device other than the central server. In Miyago, only the central server can retransmit image data. Even if a device could receive image data from a source other than the central server, Miyago does not teach or suggest that the receiving device can select a source for the image data from amongst two different sources.

In contrast, Applicant's invention is directed to a video surveillance system. A video server buffers video data and transmits the video data across a network to various client computing devices. At least some of the client computing devices (referred to a video retransmitters) are configured to retransmit video data across the network to other client computing devices, thereby reducing the bandwidth and computing load placed

on the video server. Moreover, a video recipient may “select either the video server or the video retransmitter as a source for the video data based on a metric associated with the transmission path of the video data from the source” as recite in Claim 1 of the present invention. Therefore, it is respectfully submitted that Claim 1, along with claims depending therefrom, defines patentable subject matter over Miyago.

To select a video source, a video recipient may query a directory maintained at the video server. More specifically, Claim 14 recites “accessing a retransmitter directory residing on the video server, where the directory is a list of client computing devices to whom video data is currently being sent and which are configured to retransmit the video data; evaluating a metric associated with each alternative source for the video data being buffered; and selecting a source for the video data based on said metrics”. Likewise Miyago does not teach this aspect of the present invention. Therefore, it is respectfully submitted that Claim 14, along with claims depending therefrom, defines patentable subject matter over Miyago. Accordingly, Applicant respectfully requests reconsideration and withdrawal of this rejection.

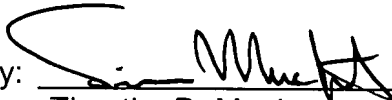
## **CONCLUSION**

It is believed that all of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider and withdraw all presently outstanding rejections. It is believed that a full and complete response has been made to the outstanding Office Action and the present application is in condition for allowance. Thus, prompt and favorable consideration of this amendment is respectfully requested.

If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at (248) 641-1600.

Respectfully submitted,

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By:   
Timothy D. MacIntyre  
Reg. No. 42,824

HARNESS, DICKEY & PIERCE, P.L.C.  
P.O. Box 828  
Bloomfield Hills, Michigan 48303  
(248) 641-1600

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